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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

§

*versus*

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CASE NO. 4:16-CR-176

JAMES MORRIS BALAGIA (3)

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§

**ORDER**

In light of the Government's Amended Response to Defendant's Motion to Continue (#247), the court's January 8, 2019, order (#229) denying Defendant James Morris Balagia's ("Balagia") motion to continue is hereby vacated. Balagia's motion to continue (#216) is granted. The court, having considered the factors set forth in 18 U.S.C. § 3161, finds as follows:

1. Defendant's request is made knowingly, intelligently, and voluntarily.
2. The Government has no objection to a continuance.
3. Having considered the factors listed in 18 U.S.C. § 3161(h)(7)(B), the court finds that the ends of justice served by granting Defendant's request outweigh the best interests of the public and the Defendant in a speedy trial.
4. This continuance is required to assure the necessary time for counsel to prepare effectively for trial, taking into account the exercise of due diligence.
5. The period of delay due to the motion for continuance is the period from the date of the motion through the date of the new trial setting, and this is excludable time under the Speedy Trial Act.

Defendant's Motion for Continuance is **GRANTED**, and this case is **reset** for **Pretrial**

**Conference and Trial Scheduling on April 8, 2019, at 9:00 a.m.**

SIGNED at Beaumont, Texas, this 7th day of September, 2004.

SIGNED at Beaumont, Texas, this 18th day of January, 2019.



MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE